

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Canceled)

2. (Canceled)

3. (Canceled)

4. (Canceled)

5. (Currently Amended) ~~An optical recording medium in accordance with~~  
~~Claim 3 which further comprises An optical recording medium comprising:~~

a substrate;

a first recording layer formed on the substrate and containing an element selected  
from a group consisting of C, Si, Ge and Sn as a primary component;

a second recording layer located in a vicinity of the first recording layer and  
containing an element selected from the group consisting of C, Si, Ge and Sn and different from  
the element contained as the primary component in the first recording layer;

a light transmission layer provided on a side opposite to the substrate with respect  
to the first recording layer and the second recording layer;

a first dielectric layer provided between the light transmission layer, and the first  
recording layer and the second recording layer; and

a second dielectric layer provided between the first recording layer and the second  
recording layer, and the substrate.

6. (Currently Amended) An optical recording medium in accordance with Claim 4-5 wherein the second recording layer is formed so as to be in contact with the first recording layer which further comprises a first dielectric layer provided between the light transmission layer, and the first recording layer and the second recording layer, and a second dielectric layer provided between the first recording layer and the second recording layer, and the substrate.

7. (Original) An optical recording medium in accordance with Claim 5 which further comprises a reflective layer provided between the substrate and the second dielectric layer.

8. (Original) An optical recording medium in accordance with Claim 6 which further comprises a reflective layer provided between the substrate and the second dielectric layer.

9. (Canceled)

10. (Canceled)

11. (Canceled)

12. (Canceled)

13. (Original) An optical recording medium in accordance with Claim 5 wherein which is constituted as a write-once type optical recording medium.

14. (Original) An optical recording medium in accordance with Claim 6 wherein which is constituted as a write-once type optical recording medium.

15. (Original) An optical recording medium in accordance with Claim 7 wherein which is constituted as a write-once type optical recording medium.

16. (Original) An optical recording medium in accordance with Claim 8 wherein which is constituted as a write-once type optical recording medium.

17. (Currently Amended) A method for optically recording data in an optical recording medium comprising ~~a step of~~ projecting a laser beam having a wavelength of 350 nm to 450 nm onto an optical recording medium comprising a substrate, a first recording layer formed on the substrate and containing an element selected from the group consisting of C, Si, Ge and Sn as a primary component, and a second recording layer located in the vicinity of the first recording layer and containing an element selected from the group consisting of C, Si, Ge and Sn and different from the element contained as a primary component in the first recording layer as a primary component, thereby mixing the element contained in the first recording layer as a primary component and the element contained in the second recording layer as a primary component to form a record mark.

18. (Currently Amended) A method for optically recording data in an optical recording medium in accordance with Claim 17 which comprises ~~steps of~~ employing an objective lens and a laser beam whose numerical aperture NA and wavelength  $\lambda$  satisfy  $\lambda/NA \leq 640$  nm, and projecting the laser beam onto the optical recording medium via the objective lens, thereby recording data in the first recording layer and the second recording layer.

19. (Original) A method for optically recording data in an optical recording medium in accordance with Claim 17, wherein the optical recording medium further comprises a light transmission layer provided on a side opposite to the substrate with respect to the first recording layer and the second recording layer and the laser beam is projected onto the light transmission layer.

20. (Original) A method for optically recording data in an optical recording medium in accordance with Claim 18, wherein the optical recording medium further comprises a light transmission layer provided on a side opposite to the substrate with respect to the first recording layer and the second recording layer and the laser beam is projected onto the light transmission layer.

21. (New) The optical recording medium in accordance with Claim 5 wherein the element contained in the first recording layer as a primary component and the element contained in the second recording layer as a primary component are mixed using a laser beam to form a record mark.